

AMENDED IN ASSEMBLY MAY 9, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

Assembly Joint Resolution

No. 19

Introduced by Assembly Member Dymally

(~~Coauthor: Assembly Member Negrete McLeod~~ Coauthors:
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April 7, 2005

Assembly Joint Resolution No. 19—Relative to reauthorization of the federal Voting Rights Act of 1965.

LEGISLATIVE COUNSEL'S DIGEST

AJR 19, as amended, Dymally. Voting Rights Act of 1965.

This measure would memorialize the President and Congress of the United States to declare their public support for reauthorizing the federal Voting Rights Act of 1965, certain provisions of which are scheduled to expire in 2007 unless extended by Congress.

Fiscal committee: no.

1 WHEREAS, The federal Voting Rights Act of 1965 is one of
2 the Nation’s most important civil and human rights victories
3 leading to political empowerment and voter enfranchisement; and

4 WHEREAS, Section 5 of the act requires specified local
5 jurisdictions to obtain approval from the United States
6 Department of Justice or from the United States District Court
7 for the District of Columbia before effectuating any changes to
8 voting practices or procedures, based on historical patterns of
9 discrimination in those specified jurisdictions; and

10 WHEREAS, Sections 6 to 9, inclusive, of the act authorize the
11 federal government to send federal election examiners and
12 observers to the specified jurisdictions when there is evidence of
13 attempts to deny minority voters the right to vote; and

14 WHEREAS, Section 203 of the act requires certain
15 jurisdictions to provide bilingual language assistance to voters,
16 based on those jurisdictions having a specified concentration of
17 citizens with limited proficiency in English; and

18 WHEREAS, The foregoing provisions of the act are designed
19 to periodically expire and be renewed after the United States
20 Congress holds hearings and makes legislative findings that the
21 provisions remain necessary to protect the voting rights of
22 historically disenfranchised groups; and

23 WHEREAS, Those provisions of the act are currently
24 scheduled to expire in 2007 unless Congress extends them; and

25 WHEREAS, There is concern that making those provisions of
26 the act permanent or applicable to all local jurisdictions equally
27 may make it vulnerable to constitutional challenge on the
28 grounds that the act is no longer “narrowly tailored” to address
29 the specific injuries it was designed to remedy; now, therefore,
30 be it

31 *Resolved by the Assembly and the Senate of the State of*
32 *California, jointly*, That the Legislature of the State of California
33 memorializes the President and Congress of the United States to
34 declare their public support for reauthorizing the Voting Rights
35 Act of 1965 as written, with jurisdiction-specific provisions
36 designed to expire after a set period of time subject to renewal;
37 and be it further

38 *Resolved*, That the Chief Clerk of the Assembly transmit
39 copies of this resolution to the President and Vice President of
40 the United States, to the Speaker of the House of

- 1 Representatives, and to each Senator and Representative from
- 2 California in the Congress of the United States.

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